

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ROGER DELANCEY,

Petitioner,

- against -

ORDER ADOPTING REPORT
AND RECOMMENDATION
15-CV-891 (RRM) (CLP)

WILLIAM LEE, *Superintendent of Green
Haven Correctional Facility,*

Respondent.

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ROSLYNN R. MAUSKOPF, Chief United States District Judge.

On January 26, 2015, petitioner Roger Delancey, proceeding *pro se*, commenced this action by filing a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. By order dated May 24, 2019, the Court referred Delancey's petition for writ of habeas corpus to Chief Magistrate Judge Cheryl L. Pollak for a report and recommendation ("R&R"). On November 4, 2019, Chief Magistrate Judge Pollak issued her R&R. (Doc. No. 19). In a thorough R&R, she recommended that the petition for writ of habeas corpus be denied in its entirety. She also advised the parties that any objections to the R&R had to be filed with the Clerk of Court within 14 days of receipt of the R&R. She directed the Clerk to send a copy of the R&R to the parties electronically through the ECF system or by mail. On November 4, 2019, the R&R was mailed to Delancey. To date, neither of the parties have filed any objections to the R&R.

Pursuant to 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72, the Court has reviewed the R&R for clear error. Finding none, the Court adopts the R&R in its entirety. *See Covey v. Simonton*, 481 F. Supp. 2d 224, 226 (E.D.N.Y. 2007). Accordingly, it is

ORDERED that the instant petition for a writ of habeas corpus is denied and this action is dismissed. A certificate of appealability shall not issue because Delancey has not made a

substantial showing of the denial of a constitutional right. *See* 28 U.S.C. § 2253(c)(2). The Clerk of Court is directed to enter judgment in accordance with this Memorandum and Order, mail a copy of the judgment and this Memorandum and Order to Delancey, to note that mailing on the docket sheet, and to close this case.

SO ORDERED.

Dated: Brooklyn, New York
June 10, 2020

Roslynn R. Mauskopf

ROSLYNN R. MAUSKOPF
Chief United States District Judge